

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL REVN. APPLICATION NO.303 OF 2003
WITH
CRIMINAL REVN. APPLICATION NO.306 OF 2003

Chandrashekhar Kudkappa Lambi

and another ... Applicants

versus

Vimal Dattatraya Shinde and anr.... Respondents

...

Mr.V.V. Purwant, for the Applicants.

Mr.Sunil Dattatraya Shinde, son of the
Respondent No.1.

Mr.K.V. Saste, A.P.P., for the Respondent No.2.

...

CORAM : A.M.KHANWILKAR, J.

2nd May 2005

P.C.:

. Heard. Mr. Purwant for the Applicants
states that the parties have amicably settled the
matter. The fact that the parties have settled
the matter is reiterated in the affidavit sworn

on 30th April 2005, which is produced before the Court. In addition, the son of the Affiant by name Mr. Sunil Dattatraya Shinde is present in the Court and accepts that the matter has been amicably settled between the parties. The said Mr. Sunil Dattatraya Shinde is identified by Mr. Nitin Swami, Advocate, who is also present in the Court. In the circumstances, Rule. Rule made returnable forthwith by consent. Mr. Sunil Dattatraya Shinde waives notice for his mother, Respondent No.1. Mr. Saste, A.P.P., waives notice for Respondent No.2. These applications are taken up for final disposal forthwith by consent.

. Both these applications question the correctness of the concurrent view taken by the two Courts below convicting the Applicants for offence punishable under section 138 of the Negotiable Instruments Act. As the parties have amicably resolved the dispute during the pendency of these applications, nothing survives for consideration, as the Respondent No.1 has agreed to compound the offence and not precipitate the matter any further against the Applicants.

Accordingly, these revision applications succeed to the extent that the order passed by the Courts below is modified to the effect that the sentence is reduced to imprisonment already undergone by the Applicants. Applications accordingly succeed in the above terms. Bail bonds to stand cancelled.

(A.M.KHANWILKAR, J.)

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CRIMINAL REVN. APPLICATION NO.304 OF 2003
WITH
CRIMINAL REVN. APPLICATION NO.305 OF 2003

Chandrashekhar Kudkappa Lambi

and another ... Applicants

versus

Sunil Dattatraya Shinde and anr.... Respondents

...

Mr.V.V. Purwant, for the Applicants.

Mr.Sunil Dattatraya Shinde, Respondent No.1, in
person.

Mr.K.V. Saste, A.P.P., for the Respondent No.2.

...

CORAM : A.M.KHANWILKAR, J.

2nd May 2005

P.C.:

. Heard. Mr. Purwant for the Applicants
states that the parties have amicably settled the
matter. Respondent No.1 by name Mr. Sunil
Dattatraya Shinde is present in the Court and

accepts that the matter has been amicably settled between the parties. The said Mr. Sunil Dattatraya Shinde is identified by Mr. Nitin Swami, Advocate, who is also present in the Court. In the circumstances, Rule. Rule made returnable forthwith by consent. Mr. Sunil Dattatraya Shinde waives notice for himself as Respondent No.1. Mr. Saste, A.P.P., waives notice for Respondent No.2. These applications are taken up for final disposal forthwith by consent.

. Both these applications question the correctness of the concurrent view taken by the two Courts below convicting the Applicants for offence punishable under section 138 of the Negotiable Instruments Act. As the parties have amicably resolved the dispute during the pendency of these applications, nothing survives for consideration, as the Respondent No.1 has agreed to compound the offence and not precipitate the matter any further against the Applicants. Accordingly, these revision applications succeed to the extent that the order passed by the Courts below is modified to the effect that the sentence

is reduced to imprisonment already undergone by the Applicants. Applications accordingly succeed in the above terms. Bail bonds to stand cancelled.

(A.M.KHANWILKAR, J.)